



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

APPLETON ACQUISITION, LLC, as successor in
interest to Kevin Loughlin, Fred Remark, Herbert
Barron, Charles Frank, Wayne Benson, Joe Batteiger,
Henry Bloch, Sam Cacciatore, Reynolds Jensen, Marie
Torpey, Charles Tuckman, Anthony Cicchetti, Ernst
George Tiegel, Ernest Cook, Mohammed El-
Tobugi, Lester Dulitz, Ann Planck, Griff & Eugenia
Lee, Joseph Greeley, Ralph & Constance Tiegel,
George Byrd, David Boyd, Morton Engelberg, Donald
Bryan, Frank Kinnett, Bruce Goodman, and Albert M.
Iosue,

Plaintiff,

-against-

NATIONAL HOUSING PARTNERSHIP, AIMCO
PROPERTIES, L.P., and APARTMENT AND
INVESTMENT MANAGEMENT COMPANY,

Defendants.

05 Civ. 4678 (KMW)

NOTICE OF
VOLUNTARY DISMISSAL

PLEASE TAKE NOTICE that Plaintiff Appleton Acquisition, LLC dismisses this action
without prejudice pursuant to Rule 41(a)(1) of the Federal Rules of Civil Procedure.

Dated: New York, New York
August 17, 2005

The Clerk of Court is directed
to enter this order. Any pending
motion is hereby denied.

HERRICK, FEINSTEIN LLP

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Attorneys for Defendants

SO ORDERED, N.Y., N.Y. 8-22-05

Kimba M. Wood
KIMBA M. WOOD
U.S.D.J.

SO ORDERED: